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Attorneys for Complainant

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

KARA LYNN SISSON,
AKA KARA LYNN JONES,
AKA KARA LYNN OLAKANGAS
7838 Locke Road
Vacaville, California 95688

Registered Nurse License No. No. 523715

Respondent.

Case No. 2007-54

OAH No.

**DEFAULT DECISION
AND ORDER**

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about August 31, 2006, Complainant Ruth Ann Terry, M.P.H, R.N, in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2007-54 against Kara Lynn Sisson, aka Kara Lynn Jones, aka Kara Lynn Olakangas (Respondent) before the Board of Registered Nursing.

2. On or about July 16, 1996, the Board of Registered Nursing (Board) issued Registered Nurse License No. 523715 to Respondent. The Registered Nurse License was in full force and effect at all times relevant to the charges brought herein and it expired on April 30, 2004.

3. On or about September 7, 2006, Gloria Lum, an employee of the Department of Justice, served by Certified and First Class Mail a copy of the Accusation No. 2007-54, Statement to Respondent, Notice of Defense, Request for Discovery, and Government

1 Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board,
2 which was and is 7838 Locke Road Vacaville, California 95688. A copy of the Accusation, the
3 related documents, and Declaration of Service are attached as Exhibit A, and are incorporated
4 herein by reference.

5 4. Service of the Accusation was effective as a matter of law under the
6 provisions of Government Code section 11505, subdivision (c).

7 5. On or about September 18, 2006, the aforementioned documents were
8 returned by the U.S. Postal Service marked "Not Deliverable as Addressed, Unable to Forward."
9 A copy of the postal returned documents are attached hereto as Exhibit B, and are incorporated
10 herein by reference.

11 6. Government Code section 11506 states, in pertinent part:

12 "(c) The respondent shall be entitled to a hearing on the merits if the respondent
13 files a notice of defense, and the notice shall be deemed a specific denial of all parts of the
14 accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of
15 respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing."

16 7. Respondent failed to file a Notice of Defense within 15 days after service
17 upon her of the Accusation, and therefore waived her right to a hearing on the merits of
18 Accusation No. 2007-54.

19 8. California Government Code section 11520 states, in pertinent part:

20 "(a) If the respondent either fails to file a notice of defense or to appear at the
21 hearing, the agency may take action based upon the respondent's express admissions or
22 upon other evidence and affidavits may be used as evidence without any notice to
23 respondent."

24 9. Pursuant to its authority under Government Code section 11520, the Board
25 finds Respondent is in default. The Board will take action without further hearing and, based on
26 Respondent's express admissions by way of default and the evidence before it, contained in
27 exhibits A, B and C, finds that the allegations in Accusation No. 2007-54 are true.

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1 10. The total costs for investigation and enforcement are \$2,685.00 as of
2 April 19, 2007.

3 DETERMINATION OF ISSUES

4 1. Based on the foregoing findings of fact, Respondent Kara Lynn Sisson,
5 aka Kara Lynn Jones, aka Kara Lynn Olakangas has subjected her Registered Nurse License No.
6 523715 to discipline.

7 2. A copy of the Accusation and the related documents and Declaration of
8 Service are attached.

9 3. The agency has jurisdiction to adjudicate this case by default.

10 4. The Board of Registered Nursing is authorized to revoke Respondent's
11 Registered Nurse License No. based upon the following violations alleged in the Accusation:

12 a. Business and Professions Code section 2761(a) for Unprofessional
13 Conduct in that her false, incorrect or inconsistent entries in hospital or patient records
14 constituted gross negligence.

15 b. Business and Professions Code section 2762(e) for Unprofessional
16 Conduct in that she made false, incorrect or inconsistent entries in hospital or patient
17 records.

18 c. Business and Professions Code section 2762(a) for Unprofessional
19 Conduct in that she possessed and self-administered controlled substances.

20 ORDER

21 IT IS SO ORDERED that Registered Nurse License No. 523715, heretofore
22 issued to Respondent Kara Lynn Sisson, aka Kara Lynn Jones, aka Kara Lynn Olakangas, is
23 revoked.

24 Pursuant to Government Code section 11520, subdivision (c), Respondent may
25 serve a written motion requesting that the Decision be vacated and stating the grounds relied on
26 within seven (7) days after service of the Decision on Respondent. The agency in its discretion
27 may vacate the Decision and grant a hearing on a showing of good cause, as defined in the
28 statute.

This Decision shall become effective on September 15, 2009
It is so ORDERED September 1, 2009.

Ann L. Bayatan

FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

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DOJ docket number:SF2005400163

Attachments:

Exhibit A: Accusation No.2007-54, Related Documents, and Declaration of Service
Exhibit B: Postal Return Documents
Exhibit C: Certification of Costs: Declaration of Frank H. Pacoe

Exhibit A

Accusation No. 2007-54,
Related Documents and Declaration of Service

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9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2007 - 54

13 **KARA LYNN SISSON**
14 **aka KARA LYNN OJAKANGAS**
7838 Locke Road
Vacaville, California 95688
15 Registered Nurse License No. 523715

A C C U S A T I O N

16 Respondent.

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19 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

20 **PARTIES**

21 1. Complainant brings this Accusation solely in her official capacity as the
22 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
23 Affairs.

24 2. On or about July 16, 1996, the Board issued Registered Nurse License
25 Number 523715 ("license") to Kara Lynn Sisson also known as Kara Lynn Ojakangas
26 ("Respondent"). The license expired on April 30, 2004, and has not been renewed.

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STATUTORY PROVISIONS

3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811(b), the Board may renew an expired license at any time within eight years after the expiration.

5. Code section 2761(a) states, in pertinent part, that the Board may take disciplinary action against a licensed nurse for unprofessional conduct.

6. Code section 2762 states:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to the substances described in subdivision (a) of this section.

7. Code section 4060 states, in pertinent part, that no person shall possess any controlled substance, except that furnished to a person upon the prescription of a physician, dentist, podiatrist, or veterinarian.

8. California Code of Regulations, Title 16, section 1442, states:

As used in Section 2761 of the code, 'gross negligence' includes an extreme departure from the standard of care which, under similar circumstances, would have ordinarily been exercised by a competent registered nurse. Such an extreme departure means the repeated failure to provide nursing care as required or failure to provide care or to exercise ordinary precaution in a single situation which the nurse knew, or should have known, could have jeopardized the client's health or life.

1 **COST RECOVERY**

2 9. Code section 125.3 provides, in pertinent part, that the Board may request
3 the administrative law judge to direct a licensee found to have committed a violation or
4 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
5 and enforcement of the case.

6 **DRUGS**

7 10. Hydromorphone ("Dilaudid") is a Schedule II controlled substance as
8 designated by Health and Safety Code section 11055(b)(1)(K).

9 11. "Benzodiazepines" are Schedule IV controlled substances which are
10 depressants as designated by Health and Safety Code section 11057(d).

11 12. "Marijuana" is a Schedule I controlled substance as designated by Health
12 and Safety Code section 11054(d)(13).

13 13. "Vicodin" is a compound consisting of 5 mg. hydrocodone bitartrate, also
14 known as dihydrocodeinone, a Schedule III controlled substance as designated by Health and
15 Safety Code section 11056(e)(4), and 500 mg. acetaminophen per tablet.

16 **FIRST CAUSE FOR DISCIPLINE**

17 **(Gross Negligence)**

18 14. Respondent is subject to discipline under Code section 2761(a) on the
19 grounds of unprofessional conduct as defined in Code section 2761(a)(1) in that from on and
20 between May 2003, and June 2003, while employed as a registered nurse at NorthBay
21 VacaValley Hospital, Vacaville, California, Respondent was grossly negligent as set forth below
22 in paragraph 15.

23 **SECOND CAUSE FOR DISCIPLINE**

24 **(False, Incorrect or Inconsistent Entries In Hospital or Patient Records)**

25 15. Respondent is subject to discipline under Code section 2761(a), on the
26 grounds of unprofessional conduct as defined in Code section 2762(e), in that on and between
27 May 2003, and June 2003, while employed as a registered nurse at NorthBay VacaValley

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1 Hospital, Vacaville, California, Respondent falsified, made grossly incorrect, grossly inconsistent
2 or unintelligible entries in hospital or patient records in the following respects:

3 **Patient "A":**

4 a. On or about May 19, 2003, at 0141 hours, Respondent signed out one (1)
5 8 mg. injectable of Hydromorphone (Dilaudid) for administration to Patient A. At 0222 hours,
6 Respondent administered 3 mg. of medication to the patient. At 0330 hours, Respondent
7 administered 2 mg. of medication to the patient, but failed to document or otherwise account for
8 the disposition of the remaining 3 mg. of medication.

9 **Patient "B":**

10 b. On or about May 2, 2003, at 0123 hours, Respondent signed out one (1)
11 4 mg. injectable of Hydromorphone (Dilaudid) for administration to Patient B. At 0133 hours,
12 Respondent administered 2 mg. of medication to the patient, but failed to document or otherwise
13 account for the disposition of the remaining 2 mg. of medication.

14 **Patient "C":**

15 c. On or about May 4, 2003, at 0251 hours, Respondent signed out one (1)
16 4 mg. injectable of Hydromorphone (Dilaudid) for administration to Patient C. At 0530 hours,
17 Respondent administered 1 mg. of medication to the patient, but failed to document or otherwise
18 account for the disposition of the remaining 3 mg. of medication.

19 **Patient "D":**

20 d. On or about May 5, 2003, at 0116 hours, Respondent signed out one (1)
21 4 mg. injectable of Hydromorphone (Dilaudid) for administration to Patient D. Respondent
22 administered 1 mg. of medication to the patient, but failed to record the time of the
23 administration, and failed to document or otherwise account for the disposition of the remaining
24 3 mg. of medication.

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1 **Patient "E":**

2 e. On or about June 6, 2003, at 0339 hours, Respondent signed out one (1)
3 4 mg. injectable of Hydromorphone (Dilaudid) for administration to Patient E. At 0350 hours,
4 Respondent administered 2 mg. of medication to the patient, but failed to document or otherwise
5 account for the disposition of the remaining 2 mg. of medication.

6 **THIRD CAUSE FOR DISCIPLINE**

7 **(Possessed and Self-Administered Controlled Substances)**

8 16. Respondent is subject to discipline under Code section 2761(a), on the
9 grounds of unprofessional conduct as defined in Code section 2762(a), in that on or about
10 May 25, 2004, while a registered nurse, Respondent did the following:

11 a. Possessed the controlled substances Hydrocodone, Benzodiazepine, and
12 Marijuana in violation of Code section 4060, in that Respondent did not have a prescription for
13 those controlled substances.

14 b. Self-administered the controlled substances Hydrocodone,
15 Benzodiazepine, and Marijuana without direction to do so from a licensed physician and surgeon,
16 dentist, or podiatrist.

17 **FOURTH CAUSE FOR DISCIPLINE**

18 **(Unprofessional Conduct)**

19 17. Respondent is subject to discipline under Code section 2761(a) on the
20 grounds of unprofessional conduct in that on and between May 2003, and June 2003, while
21 employed as a registered nurse at NorthBay VacaValley Hospital, Vacaville, California,
22 Respondent was unprofessional in the handling of narcotics as follows:

23 a. Respondent violated the NorthBay VacaValley Hospital policy by failing
24 to have a witness when wasting medications.

25 b. Respondent failed to account for medications that were withdrawn but not
26 administered to patients, as set forth above in paragraph 15.

27 c. Respondent diluted medications with saline.

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1 **PRAYER**

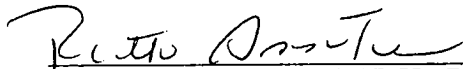
2 **WHEREFORE**, Complainant requests that a hearing be held on the matters
3 herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 523715, issued
5 to Kara Lynn Sisson also known as Kara Lynn Ojakangas;

6 2. Ordering Kara Lynn Sisson also known as Kara Lynn Ojakangas to pay the
7 Board of Registered Nursing the reasonable costs of the investigation and enforcement of this
8 case, pursuant to Code section 125.3; and,

9 3. Taking such other and further action as deemed necessary and proper.

10 DATED: 8/31/06

11 
12 RUTH ANN TERRY, M.P.H., R.N.
13 Executive Officer
14 Board of Registered Nursing
15 Department of Consumer Affairs
16 State of California
17 Complainant

16 SF2005400163

17 Accusation (kdg) 5/8/06; 7/10/06